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UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF CALIFORNIA

11 BENJAMIN HENDRIX, No. 1:20-cv-01307-AWI-JLT (PC)
12 Plaintiff,
13 v.
14 FOULK, et al., **ORDER ADOPTING FINDINGS AND
15 Defendants. RECOMMENDATIONS**
16 (Doc. No. 25)

17 Plaintiff Benjamin Hendrix is a state prisoner proceeding *pro se* and *in forma pauperis* in
18 this civil rights action brought pursuant to 42 U.S.C. § 1983. This matter was referred to a United
19 States magistrate judge pursuant to 28 U.S.C. § 636(b)(1)(B) and Local Rule 302.

20 On June 4, 2021, the assigned magistrate judge filed a screening order, finding that
21 Plaintiff's second amended complaint states a cognizable claim of deliberate indifference against
22 Defendant Arce but not Defendant Santoro. Doc. No. 20. The magistrate judge directed Plaintiff
23 to file a third amended complaint curing the deficiencies in his pleading or to notify the court of
24 his desire to proceed only on the claim found cognizable. *Id.* at 6-7. On June 24, 2021, Plaintiff
25 filed a notice that he "wishes to. . . proceed only on his deliberate indifference claim against . . .
26 Arce and . . . dismiss . . . Santoro." Doc. No. 22.

27 Therefore, on June 24, 2021, the magistrate judge issued findings and recommendations,
28 recommending that Defendant Santoro be dismissed. Doc. No. 25. The findings and

1 recommendations were served on Plaintiff and provided him 14 days to file objections thereto.

2 *Id.* at 1-2. Plaintiff has not filed any objections, and the time to do so has passed.

3 In accordance with the provisions of 28 U.S.C. § 636(b)(1)(C), this Court has conducted a
4 *de novo* review of this case. Having carefully reviewed the file, the Court finds the findings and
5 recommendations to be supported by the record and proper analysis.

6 Accordingly, it is HEREBY ORDERED that:

7 1. The findings and recommendations issued on June 24, 2021 (Doc. No. 25) are
8 ADOPTED in full;

9 2. Defendant Santoro and the claims against her are DISMISSED;

10 3. The Clerk of the Court is directed to rename this case "*Hendrix v. Arce*"; and,

11 4. This case is referred back to the assigned magistrate judge for further proceedings.

12 IT IS SO ORDERED.

13 Dated: August 11, 2021



14 SENIOR DISTRICT JUDGE

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